

## Attachment A

In the matter of:

**The City of Torrance**  
**3031 Torrance Boulevard**  
**Torrance, CA 90505**

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) Order No. R4-2009-0001  
) Assessing Civil Liability  
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This Order is issued in reference to an adjudicative proceeding initiated by the issuance of Administrative Civil Liability Complaint No. R4-2009-0001, dated January 30, 2009 (Complaint). The Parties to this proceeding are the Regional Water Quality Control Board, Los Angeles Region (Regional Water Board) Prosecution Team and the City of Torrance (collectively referred to as "Parties").

The Regional Water Board has been presented with a proposed settlement of the claims alleged in the Complaint that has been developed during negotiations between the Parties. The proposed settlement represents a mutually agreed-upon resolution of the Prosecution Team's claims through the imposition of an administrative civil liability in the amount of \$52,455. The Parties' settlement agreement is attached hereto as Attachment 1. The Parties recommend that the Regional Water Board issue this Order to effectuate the Parties' proposed settlement. Having provided public notice of the proposed settlement and not less than thirty (30) days for public comment, the Regional Water Board finds that:

1. The City of Torrance's failure to comply with the NPDES General Permit for Storm Water Discharges Associated with Industrial Activities (Order No. 97-03-DWQ; CAS000001) and Los Angeles Municipal NPDES Storm Water Discharge Permit (Order No. 01-182, NPDES No. CAS004001) gives rise to civil liability under California Water Code section 13385.
2. In accepting the proposed settlement, the Regional Water Board has considered each of the factors prescribed in California Water Code section 13385(e). The Regional Water Board's consideration of these factors is based upon information obtained by the Regional Water Board in investigating the allegations in the Complaint or otherwise provided to the Regional Water Board, including the information presented at the noticed hearing of this matter.
3. A notice of the settlement and assessment of the civil liability was published in (FILL IN PUBLICATION LATER) on (FILL IN DATE LATER) notifying the public of a 30-day review period and soliciting public comments on the terms of the settlement. This settlement and assessment of administrative liability provides for the full and final resolution of each of the violations or causes of action alleged in the Complaint.

4. Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code section 21000 et seq.) in accordance with section 15321, Chapter 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that:

5. Administrative civil liability under California Water Code section 13385 is imposed on the City of Torrance in the amount of \$52,455, to be satisfied as follows:
  - a. Within thirty (30) calendar days of receiving written or verbal notice from the Regional Water Board that the proposed Order has become effective, the City of Torrance shall pay \$52,455 to the State Water Resources Control Board for deposit into the Cleanup and Abatement Account.
6. Payments made pursuant to this Order shall be made in the form of a check, payable to the *State Water Resources Control Board Pollution Cleanup and Abatement Account* and remitted to the State Water Resources Control Board, Department of Administrative Services, P.O. Box 1888, Sacramento, CA 95812-1888. Copies of the check and any correspondence accompanying the check shall be sent by the City of Torrance to Samuel Unger, Assistant Executive Officer, Los Angeles Regional Water Quality Control Board, 320 W. 4<sup>th</sup> Street, Los Angeles, CA 90013, and Jeff Ogata, State Water Resources Control Board, Office of Chief Counsel, P.O. Box 100, Sacramento, CA 95812-0100.
7. In the event that the City of Torrance fails to comply with the requirements of this Order, the Executive Officer is authorized to refer this matter to the Office of the Attorney General for collection and/or enforcement.

IT IS SO ORDERED

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TRACY J. EGOSCUE  
Executive Officer

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DATE